



UNITED STATES PATENT AND TRADEMARK OFFICE

MAILED
FROM DIRECTORS OFFICE

MAY 08 2006

TECHNOLOGY CENTER 3600

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Oblon, Spivak, McClelland, Maier & Nuestadt, P.C.
1940 Duke Street
Alexandria, VA 22314

In re application of	:	DECISION ON PETITION
Yasuhiro Iwamura et al.	:	FOR SECOND SUSPENSION
Application No. 09/981,983	:	OF ACTION UNDER
Filed: October 19, 2001	:	37 CFR 1.103 (a)
For: NUCLEIDE TRANSMUTATION DEVICE AND		
NUCLEIDE TRANSMUTATION METHOD		

This letter is responsive to the petition for a second suspension of action under 37 CFR 1.103(a) received on April 4, 2006.

The petition for suspension of action under 37 CFR 1.103(a) is **GRANTED**.

A grantable petition for suspension of action under 37 CFR 1.103(a) requires:

- 1) A showing of good and sufficient cause for suspension of action, and
- 2) The fee set forth in 37 CFR 1.17(g), unless such cause is the fault of the Office.

Applicant filed a petition on August 5, 2005 to suspend action by the examiner until a cooperative experiment could be conducted by an Independent Administrative Institution, RIKEN, which experiment has apparently since been completed. A decision granting a 6 month suspension was mailed August 15, 2005. In the latest petition filed April 4, 2006, the applicant indicates that additional cooperative research between the U.S. Naval Research Laboratory (NRL) and Mitsubishi Heavy Industries, Ltd on the subject matter of applicant's invention has been ongoing since May 20, 2005. The applicant believes that the result of the research will provide experimental results in support of operability of the present invention that applicant would like to submit upon its publication. Furthermore, a second research team from Kobe University will publish related experimental data related to applicant's invention in the fall of 2006. The applicant feels that these published results may aid in the examination of the above application.


There being ongoing research which may materially impact a decision on the operability of applicant's invention, it is deemed that the existence of these endeavors constitute a good and sufficient reason why a second suspension should be granted, and thus applicants' request for an additional period of suspension of six (6) months is reasonable and will be **GRANTED**.

Action by the Office on this application is suspended under 37 CFR 1.103(a) for a period of six (6) months from the date of this letter. At the end of this period applicant is required to notify the examiner and request commencement of prosecution or a further suspension. See MPEP 709. If applicant wishes to commence prosecution earlier than the expiration of the 6 month period, the examiner should be so notified.

The period for suspension will be six (6) months from the date of this letter.

Applicant's deposit account 15-0030 has been charged the required petition fee of \$200.00 under 37 CFR 1.17(g).

Any questions surrounding this decision should be directed to Special Program Examiner Steven Meyers at (571) 272-6611.



Donald Hajec, Director
Technology Center 3600
(571) 272-5150

snm: 5/6/06

